

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:20-cv-00220-MR

RANDY W. BARKLEY, Individually )  
and as the Executor of the Estate of )  
Rita W. Barkley, Deceased, )  
Plaintiff, )  
vs. )                                   O R D E R  
4520 CORP., INC., Individually and )  
as Successor-in-Interest to )  
Benjamin F. Shaw Company, et al., )  
Defendants. )  
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)

**THIS MATTER** is before the Court on Defendant Riley Power, Inc.'s Motion for Summary Judgment [Doc. 315]; Defendant Riley Power, Inc.'s Joinder in Co-Defendants' Motions to Exclude Plaintiff's Expert Witnesses [Doc. 317]; and the parties' Joint Motion to Dismiss Riley Power, Inc. [Doc. 373].

Upon review of the parties' motions,

**IT IS, THEREFORE, ORDERED** that the parties' Joint Motion to Dismiss [Doc. 373] is **GRANTED**, and all the Plaintiff's claims against the Defendant Riley Power, Inc. are hereby **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that Defendant Riley Power, Inc.'s Motion for Summary Judgment [Doc. 315] and Defendant Riley Power, Inc.'s Joinder in Co-Defendants' Motions to Exclude Plaintiff's Expert Witnesses [Doc. 317] are **DENIED AS MOOT**.

**IT IS SO ORDERED.**      Signed: October 29, 2021



Martin Reidinger  
Chief United States District Judge

